UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,470	10/01/2003	Deepa Thomas	GEMS 0196 PA	2469

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ARTZ & ARTZ, P.C.
28333 TELEGRAPH RD.
SUITE 250
SOUTHFIELD, MI 48034

EXAMINER
SYED, FARHAN M

ART UNIT	PAPER NUMBER
2165	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/605,470	THOMAS ET AL.
	Examiner	Art Unit	
	Farhan M. Syed	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _01 October 2003_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-28_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-28_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _01 October 2003_ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _20031006_.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-28 are pending.

Information Disclosure Statement

2.   The information disclosure statement filed 06 October 2003 fails to comply with

37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document;

each **non-patent literature publication** or that portion which caused it to be listed; and

all other information or that portion which caused it to be listed. It has been placed in

the application file, but the information referred to therein has not been considered.

Drawings

3.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5)

because they include the following reference character(s) not mentioned in the

description: Figure 1, item 32. Corrected drawing sheets in compliance with 37 CFR

1.121(d), or amendment to the specification to add the reference character(s) in the

description in compliance with 37 CFR 1.121(b) are required in reply to the Office action

to avoid abandonment of the application. Any amended replacement drawing sheet

should include all of the figures appearing on the immediate prior version of the sheet,

even if only one figure is being amended. Each drawing sheet submitted after the filing

date of an application must be labeled in the top margin as either "Replacement Sheet"

or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the

examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Figure 2, items 10 and 13. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specifications

5.   Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:
(1) if a machine or apparatus, its organization and operation;
(2) if an article, its method of making;
(3) if a chemical compound, its identity and use;
(4) if a mixture, its ingredients;
(5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

Claim Rejections - 35 USC § 112

6.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7.   Claims 1 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 1, the claim recites restoring said updated application according to said tag file. It is unclear by the applicant as to what is meant by restoring said updated application. The updated application is already modified with saving component and link modifications stored in a tag file and by restoring said updated application, the Examiner would infer that the initial application will result from performing the restoring said updated application according to said tag file.

As per claim 21, the claim recites a second controller restoring said updated application according to said tag file. The same reasoning applies to this claim as mentioned above.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dodrill et al (U.S. Patent No. 6,954,896 and known hereinafter as Dodrill) in view of a non-patent literature titled "Where Was I? Restoring Application State with VB and XML" by Rod Stephens, InformIT, Jan. 25, 2002, pages 1-9 (and known hereinafter as Stephens).

As per claims 1, 13, and 21, Dodrill teaches a method of saving and restoring an application for an imaging system comprising: loading a developing environment (i.e.

"The application server includes a runtime environment that establishes an efficient, high-speed connection to a web server." The preceding text clearly indicates that a runtime environment is a developing environment.)(column 2, lines 34-36); loading or generating an initial application for the imaging system in said developing environment (i.e. *"In addition, the application server may access an XML page that stores application state information, enabling the application server to be state-aware relative to the user interaction. Hence, the XML page, which can be written using a conventional editor or word processor, defines the application to be executed by the application server within the runtime environment, enabling voice enabled web applications to be generated and executed without the necessity of programming language environments."* The preceding text clearly indicates that accessing an XML page that stores application state information is an instance of generating an initial application, where the initial application is the voice enabled web application.)(column 2, lines 48-57); modifying said initial application to generate an updated application (i.e. *"Moreover, the application developer can use a browser to create or modify a voice enabled web application; consequently, the request-based interaction between the browser and the application server enables an application developer to create or modify an XML document, and then cause the application server to execute the XML document in the same browser window."* The preceding text clearly indicates that an initial application is a voice enabled web application, when modified, produces an updated application, which is the modified XML document.)(column 4, lines 36-43); saving component and link modifications between said initial application and said updated application (i.e. *"The application server 66, upon receiving the form from the corresponding web browser 56, can then create or modify the XML document by inserting the input application parameters as XML tag data in accordance with XML syntax. The application server 66 can then store the XML document for later execution for the user."* The preceding text clearly indicates that saving component and link modifications are the changes or modified XML document and saving is storing the XML document on the application server.)(column 7, lines 64-67; column 8, lines 1-3); then storing said updated application with said modifications in a tag

file (i.e. *"The storage medium is configured for storing the XML document created or modified by the computer-based server."* The preceding text clearly indicates that an XML document is a tag file, which can be modified or updated and stored in a storage medium.)(column 5, lines 15-17); selecting said tag file (i.e. *"Accessing the application server via the CGI 85 enables the application server 66 to access a selected XML document, for example the XML document 100 illustrated in FIG. 4, in order to dynamically generate a form 102, illustrated in FIG. 5A, that specifies selected application parameters of the XML document 100."* The preceding text clearly indicates that a tag file is an XML document.)(column 9, lines 36-47).

Dodrill does not explicitly teach a method of restoring said updated application according to said tag file.

Stephens teaches a method of restoring said updated application according to said tag file (i.e. *"Program Restore, saves and restores its session state." "Program Restore saves its settings in XML (extensible markup language)."* The preceding text clearly indicates that an updated application is a session state and a tag file is an XML file.)(page 2, paragraph 1).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Dodrill with the teachings of Stephens to include a method of restoring said updated application according to said tag file with the motivation to retrace the executable code to locate the cause of the undesirable result, slowing the application development process. (Dodrill, column 3, lines 45-47)

As per claims 2 and 16, Dodrill teaches a method wherein said component and link modifications are saved in response to enactment of said modifications (i.e. *"The application server 66, upon receiving the form from the corresponding web browser 56, can then create or modify the XML document by inserting the input application parameters as XML tag data in accordance*

with XML syntax. The application server 66 can then store the XML document for later execution for the

user." The preceding text clearly indicates that enactment of modification is to create or modify the XML

document.)(column 7, lines 64-67; column 8, lines 1-3).

As per claim 3 and 22, Dodrill teaches a method wherein said component and

link modifications are saved in response to an inputted request (i.e. "The application server

66, upon receiving the form from the corresponding web browser 56, can then create or modify the XML

document by inserting the input application parameters as XML tag data in accordance with XML syntax.

The application server 66 can then store the XML document for later execution for the user." The

preceding text clearly indicates that the input application parameters are the inputted request.)(column 7,

lines 64-67; column 8, lines 1-3).

As per claim 4, Dodrill teaches a method wherein said initial application is loaded

and generated in said developing environment (i.e. "In addition, the application server may

access an XML page that stores application state information, enabling the application server to be state-

aware relative to the user interaction. Hence, the XML page, which can be written using a conventional

editor or word processor, defines the application to be executed by the application server within the

runtime environment, enabling voice enabled web applications to be generated and executed without the

necessity of programming language environments." The preceding text clearly indicates that accessing an

XML page that stores application state information is an instance of generating an initial application,

where the initial application is the voice enabled web application.)(column 2, lines 48-57).

As per claim 5, and 10-12, Dodrill teaches a method wherein saving said

changes comprises saving latest changes that are different from initial default values

(i.e. "The application server 66, upon receiving the form from the corresponding web browser 56, can

then create or modify the XML document by inserting the input application parameters as XML tag data in

accordance with XML syntax. The application server 66 can then store the XML document for later

execution for the user." The preceding text clearly indicates that when modifying an XML document there

exists a change from the initial value to the latest changes when coupled with storing the modified

document on the application server.)(column 7, lines 64-67; column 8, lines 1-3).

As per claim 6 and 15, Dodrill teaches a method wherein saving said updated

application with said changes comprises saving latest changes in a text file (i.e. *"The*

application server 66, upon receiving the form from the corresponding web browser 56, can then create or

modify the XML document by inserting the input application parameters as XML tag data in accordance

with XML syntax. The application server 66 can then store the XML document for later execution for the

user." The preceding text clearly indicates that an XML document is a text file.)(column 7, lines 64-67;

column 8, lines 1-3).

As per claim 7 and 23, Dodrill teaches a method wherein said text file is modified

external to said developing environment (i.e. *"The application server 66, upon receiving the form*

from the corresponding web browser 56, can then create or modify the XML document by inserting the

input application parameters as XML tag data in accordance with XML syntax. The application server 66

can then store the XML document for later execution for the user." The preceding text clearly indicates

that an XML document is a text file, which when used for later execution is external to the developing

environment.)(column 7, lines 64-67; column 8, lines 1-3).

As per claim 8, Dodrill teaches a method further comprising modifying said tag

file to create a newly updated application (i.e. *"Moreover, the application developer can use a*

browser to create or modify a voice enabled web application; consequently, the request-based interaction

between the browser and the application server enables an application developer to create or modify an

XML document, and then cause the application server to execute the XML document in the same browser

window." The preceding text clearly indicates that modifying a tag file, which is modifying an XML

document creates a newly updated application, which is the modified voice enabled web

application.)(column 4, lines 36-43).

As per claim 9, Dodrill teaches a method wherein said changes between said

initial application and said updated application are saved upon modification thereof (i.e.

"Moreover, the application developer can use a browser to create or modify a voice enabled web

application; consequently, the request-based interaction between the browser and the application server

enables an application developer to create or modify an XML document, and then cause the application

server to execute the XML document in the same browser window." The preceding text clearly indicates

that changes between said initial application and updated application is the modification of an XML

document and saved or stored in a storage medium.)(column 4, lines 36-43).

As per claim 14, this dependent claim is rejected on the basis of independent

claim 1.

As per claim 17, Dodrill teaches a tool wherein said developer interface modifies

said updated development application (i.e. *"If desired, the development tools (e.g., 80a, 80b, 80c,*

or 80d) may also be used to generate an XML application as a stored text file 86, without the use of the

forms generated by the application server 66, described below." The preceding text clearly indicates that

development tools comprise of developer interfaces used to modify or generate development

applications.)(column 9, lines 13-17).

Dodrill does not explicitly teach a tool wherein said developer interface modifies

said updated development application after said application loader restores said

updated application.

Stephens teaches a tool wherein said application loader restores said updated application (i.e. *"After working with the program, possibly closing list forms and opening others, you can invoke the Windows menu's Restore Saved Session command to restore the settings to their saved values."* The preceding text clearly indicates that the application loader, which is the Restored Saved Session command and updated application is the program.)(page 2, paragraph 2).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Dodrill with the teachings of Stephens to include a tool wherein said application loader restores said updated application with the motivation to retrace the executable code to locate the cause of the undesirable result, slowing the application development process. (Dodrill, column 3, lines 45-47).

As per claim 18, Dodrill teaches a tool further comprising a custom property editor generating a custom value and said developer interface storing said custom value (i.e. *"The gate server 70 provides HTTP access for a browser based XML editor tool 56b that enables a web programmer to design voice applications by editing XML pages"* The preceding text clearly indicates that a custom property editor is the XML editor tool.)(column 8, lines 20-24).

As per claim 19, Dodrill does not explicitly teach a tool wherein said application loader when restoring said updated application resets a property corresponding to said custom value.

Stephens teaches a tool wherein said application loader when restoring said updated application resets a property corresponding to said custom value (i.e. *"After working with the program, possibly closing list forms and opening others, you can invoke the Windows menu's Restore Saved Session command to restore the settings to their saved values."* The preceding

text clearly indicates that the application loader, which is the Restored Saved Session command and updated application is the program.)(page 2, paragraph 2).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Dodrill with the teachings of Stephens to include a tool wherein said application loader when restoring said updated application resets a property corresponding to said custom value with the motivation to retrace the executable code to locate the cause of the undesirable result, slowing the application development process. (Dodrill, column 3, lines 45-47)

As per claim 20, Dodrill teaches a tool wherein said tag file generator in storing a tag file of an updated application stores general multiversion identifiers associated with said application components (i.e. *"The brownie document, stored in a separate registry 99 in FIG. 3, is an XML data record used to specify application state and user attribute information for a given XML application during a user session."* The previous text clearly indicates that user attribute information is a type of multiversion identifier associated with the application component, which is an XML data record, and the tag file is the XML application.)(column 8, lines 43-45).

As per claim 24, Dodrill teaches a system wherein said second controller is coupled to and controls operation of the imaging system (This claim is rejected because the system is an intended use of the claimed invention).

As per claim 25, Dodrill teaches a system wherein said first controller accesses said tag file via a network (i.e. *"In addition, the application server may access an XML page that stores application state information, enabling the application server to be state-aware relative to the user*

interaction." The preceding text clearly indicates that an application server is the first controller, which

obviously is accessed by a network, and the tag file is the XML page.)(column 2, lines 49-52).

As per claim 26, Dodrill teaches a system wherein said second controller

accesses said tag file via a network (i.e. *"Another aspect of the present invention provides a*

method in a browser for developing an executable voice application. The method includes sending a first

request to a web server according to hypertext transport protocol (HTTP) for a first hypertext markup

language (HTML)-based web page having a form with at least one entry field for inputting an application

parameter, receiving and displaying the form, and posting the form, including an input application

parameter in the entry field that is input by a user, to a prescribed uniform resource locator (URL)." The

preceding text clearly indicates that the second controller is the browser that accesses a tag file, which is

an HTML-based web page.)(column 4, lines 42-52).

As per claim 28, this dependent claim is rejected on the basis of independent

claim 21.

As per claim 27, Dodrill teaches a system wherein said first controller and said

second controller are integrally formed as a single controller (i.e. *"As shown in FIG. 1, each of*

the clients (tiny clients, skinny clients, thin clients and fat clients) are able to communicate via a single,

unified architecture 60 that enables voice communications services between different clients, regardless

of whether the client actually has browser capabilities." The preceding text clearly indicates that a single

controller is the single, unified architecture.)(column 6, lines 7-12).
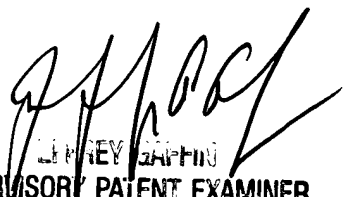
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farhan M. Syed whose telephone number is 571-272-7191. The examiner can normally be reached on 8:30AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FMS

JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100